FARAD CONTINUATION SHEET NO.
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.2738 OF 2006

Vitthal Raosaheb Kale ..Applicant
V/s.
The State of Maharashtra ..Respondent

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders

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Mr.S.S.Salunkhe for the applicant.

Mr.K.V.Saste APP for the State.

Coram : R.S.Mohite,J

Date : 2.8.2006.

PC

1. This is an application for grant of anticipatory bail. The applicant is shown as an accused in C.R.No.3217/2006 registered with the Faujdar Chawadi police station, Solapur for alleged offences under Sections 3(i)(x) of Atrocities Act r/w 7(1) (d) of Protection of Civil Rights Act. On reading the FIR filed by one Shashikant Nikambe, it appears that the accused who was a teacher and who was the part of the morcha which was taken out against the decision of the government to

increase the working hours of the teachers, diverted from the subject of the morcha and stated that the students who were not progressing were belonging to the mang cast and their fathers were taking liquor and falling in the house whereas the women went to the field and elder children was left in the home to see the small children. He raised a query in his speech as to who would bring these children at school. I feel that these remarks are not addressed to any particular person and are general in nature. They were certainly not directed against the Complainant. Section 3(1) (x) refers to intentionally insults or intimidates with intent to humiliate a member of a Scheduled Caste or a Scheduled Tribe in any place within public view. Prima facie there appears to be no intent to comment on any particular member. It is doubtful general comments of this nature by a teacher in a public meeting would fall under the said section.

In the circmustances, I am inclined to grant anticipatory bail. It is therefore, directed that in the event of arrest in connection with C.R.No.3217/2006 registered by the Faujdar Chawadi police station, the applicant may be released on bail in the sum of Rs.5,000/- with one surety in the like amount subject to the condition that he will report to the investigating officer as and when called upon to do so in writing. Application stands disposed off.

(R.S.Mohite,J)